

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEREK MATTHEWS,

Plaintiff,

v.

EDMUND G. BROWN, et al.,

Defendants.

No. 2:20-cv-02515 JAM DB P

ORDER REFERRING CASE TO POST-
SCREENING ADR PROJECT AND
STAYING CASE FOR 120 DAYS

Plaintiff is a state prisoner proceeding without counsel. All defendants remaining in the case have answered the complaint.

The undersigned is referring all post-screening civil rights cases filed by pro se state inmates to the Post-Screening ADR (Alternative Dispute Resolution) Project in an effort to resolve such cases more expeditiously and less expensively. No claims, defenses, or objections shall be waived by any party's participation.

Accordingly, the court stays this action for a period of 120 days to allow the parties to investigate plaintiff's claims, meet and confer, and then participate in one or more settlement conferences. There is a presumption that all post-screening prisoner civil rights cases assigned to the undersigned will proceed to settlement conference.¹ However, if any party finds that a

¹ If the case does not fully settle as to all claims and defendants, then the court will issue a discovery and scheduling order.

1 settlement conference would be a waste of resources, that party may move to opt out of this pilot
2 project. A motion to opt out must be filed within sixty days of the date of this order.

3 Once the settlement conference is scheduled, at least seven days prior to the conference,
4 the parties shall submit to the settlement judge a confidential settlement conference statement.
5 The parties' confidential settlement conference statements shall include the following: (a) names
6 and locations of the parties; (b) a short statement of the facts and alleged damages; (c) a short
7 procedural history; (d) an analysis of the risk of liability, including a discussion of the efforts
8 made to investigate the allegations; and (e) a discussion of the efforts that have been made to
9 settle the case. Defendant(s) shall e-mail the settlement conference statement to the settlement
10 judge's e-mail box for proposed orders, available on the court's website. Plaintiff shall place his
11 settlement conference statement in the U.S. mail addressed to the settlement conference judge,
12 United States District Court, 501 I Street, Sacramento, CA 95814. Plaintiff shall mail his
13 settlement conference statement so that it is received by the court at least seven days before the
14 settlement conference.

15 In accordance with the above, IT IS HEREBY ORDERED that:

16 1. This action is stayed for 120 days to allow the parties an opportunity to settle their
17 dispute before the discovery process begins. Except as provided herein or by subsequent court
18 order, no other pleadings or other documents may be filed in this case during the stay of this
19 action. The parties shall not engage in formal discovery, but the parties may elect to engage in
20 informal discovery.

21 2. Within sixty days from the date of this order, any party wishing to opt out shall file a
22 motion to opt out of the Post-screening ADR Project.

23 3. At least seven days prior to the settlement conference, each party shall submit a
24 confidential settlement conference statement, as described above, to the settlement judge.
25 Defendant shall e-mail the settlement conference statement to the settlement judge's proposed
26 orders e-mail address. Plaintiff shall place his settlement conference statement in the U.S. mail
27 addressed to the settlement judge, United States District Court, 501 I Street, Sacramento, CA,

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1 95814. Plaintiff shall mail his settlement conference statement so that it is received by the court at
2 least seven days before the settlement conference.

3 4. If a settlement is reached at any point during the stay of this action, the parties shall file
4 a Notice of Settlement in accordance with Local Rule 160.

5 5. The parties remain obligated to keep the court informed of their current addresses at all
6 times during the stay and while the action is pending. Any change of address must be reported
7 promptly to the court in a separate document captioned for this case and entitled "Notice of
8 Change of Address." See L.R. 182(f).

9 Dated: October 6, 2021

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11 DLB7
12 matt2515.ADR


DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE